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Notice of Allowability

Application No.

09/742,165

Examiner

Duyen M. Doan

Applicant(s)

HANNAWAY, G. WYNDHAM

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/18/2007.
2. ☒ The allowed claim(s) is/are 1,3-15,19,20,22,25-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


 BUNJOB JAROENCHONWANIT
 SUPERVISORY PATENT EXAMINER

12/5/07

Examiner's Amendments

Claims 1,3-15,19-20,22,25-30 are allowed.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kent A Lembke (reg # 44,866) on 12/5/2007.

The application has been amended as follows:

Claim 15. (Currently Amended) An apparatus for synchronizing media streams transmitted over a communication network, comprising:

an input interface linked to the communications network and configured for receiving a first and a second media stream transmitted by a first and a second media source, respectively, wherein the first media stream comprises a plurality of data packets of a video stream encoded to a first compression standard and the second media stream comprises a plurality of data packets of a video stream encoded to a second compression standard differing from the first compression standard;

a decoder for decoding the first and the second media streams into a first and a second intermediate media stream, respectively, wherein the first and second intermediate streams are compatibly formatted;

a streaming media processor for mixing the first and the second intermediate-format media streams into a composite media stream encoded according to an output compression standard; and

a controller in communication with the input interface and the streaming media processor adapted for determining a variable transmission delay for the first and the second media streams based on a transmission time for a data packet of the first media stream and a time of receipt at the input interface of the data packet and on a transmission time for a data packet of the second media stream and a time of receipt at the input interface of the data packet;

wherein the controller is further configuring for selectively retrieving the first intermediate-format media stream and the second intermediate-format media stream based on the variable transmission delay of the first and the second media stream to create a first and a second time-adjusted stream;

wherein the processor combines the first and the second time-adjusted stream to form the composite media stream with the first media stream data packets and the second stream data packets being positioned for concurrent delivery.

Claim 18. (Cancelled)

Claim 19. (Currently Amended) The apparatus of claim ~~[[17]]~~ 15, wherein the time of receipt is determined based on a time reference signal received from an external timing reference.

Claim 20 (Currently Amended) A method for time-based synchronization of two or more media streams transmitted over a data communications network, comprising:

receiving a first media stream wherein the first media stream comprising a plurality of data packets from one or more video files transmitted over the communications network by a first media source;

receiving a second media stream wherein the second media stream comprising a plurality of data packets from one or more video files transmitted over the communications network by a second media source;

retrieving timing data from the first and second media stream;

comparing the timing data with a reference time to determine a first and a second transmission delay value;

adjusting the first and the second media streams to correct for the first and the second transmission delay values, wherein the adjusting includes matching the data packets of the first and the second media streams based on transmittal times from the first and the second media sources;

storing the data packets of the first media stream in a first data buffer and the data packets of the second media stream in a second data buffer and wherein the adjusting includes selectively retrieving the data packets of the first media stream from the first data buffer to correct for the first transmission delay value and selectively retrieving the data packets of the second media stream from the second butter to correct for the second transmission delay value.

creating a synchronized media stream by mixing the first and the second media streams, wherein the first and the second media streams are presented in the synchronized media stream concurrently

Claim 23. (Cancelled)

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

based upon the totality of applicants' arguments (pages 5-20) on behalf of independent claims 1, 15, 20 on 9/18/2007, the examiner has determined applicants' claims are allowable over the prior art of record.

The prior art of record single or in combination failed to teach the combination of the invention as claimed in independent claims 1, 15, 20. For example it failed to teach selectively retrieving the data packets of the first and the second media streams to form a first and a second time-adjusted stream wherein the controller determines a variable transmission delay for the first and the second media streams from the first and second media sources to the input interface and performs the selective retrieving based on the determined variable transmission delays, which clearly support by the specification (see page 16, lines 9-22). This feature in light of other features describes in the independent claims 1, 15, 20 enable claims' allowable.

The dependent claims further limit the independent claims and are considered allowable on the same basis as the independent claims as well as for the further limitations set forth.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Application/Control Number:
09/742,165
Art Unit: 2152

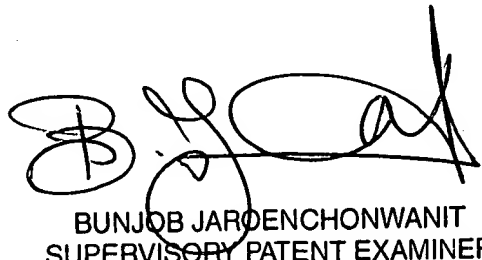
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner
Duyen Doan
12/5/2007


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SUPERVISORY PATENT EXAMINER
12/5/7